

## ORDINANCE NO.2.

## CONCERNING SIDEWALKS.

Be it ordained by the Board Of Trustees  
of the  
TOWN OF NUCLA.

## ARTICLE I.

Section 1. BOARD OF TRUSTEES MAY ORDER.---The Board of Trustees of the Town of Nucla at any regular or special meeting thereof, by an order to be passed by the vote of a majority of the members present, at any such meeting, without the passage or publication of any ordinance relative thereto, may order a sidewalk or sidewalks, on either or both sides of any street or streets in said town, and within any locality thereof, be laid down or constructed of such width and material and for such distance as may be specified in such order. The said Board Of Trustees may also, in like manner, order or direct that any existing sidewalk in said town be removed, repaired or replaced in such manner as they may deem advisable.

Section 2. WHAT ORDER SHALL SPECIFY.---Whenever the said Board of Trustees shall order the construction, removal, repair or laying down of any such sidewalk or sidewalks, they shall, by order, specify the width, material and dimensions of such proposed sidewalk or sidewalks or the manner in which such sidewalk or sidewalks shall be removed or replaced, and the town Marshall shall immediately upon the taking effect of such order, serve written or printed, or partly written and partly printed, notice upon the owner or owners of each lot, or part of lot, abutting upon or abounding such proposed sidewalk or sidewalks, requiring such owner or owners, within the time hereinafter specified, to commence the construction, removal, repair or laying down, as the order may direct, of so much of said proposed sidewalk or sidewalks as may be abutting on or bounding the lot or part of lot so owned. In case the construction, laying down or removal of such sidewalk be ordered then the work shall commence within three days from service of such notice,

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Section 2. Cont'd. in other cases within twenty-four hours from such service, and such work shall be continuously prosecuted, with all necessary diligence, after commencement thereof, until complete. Such notice shall contain specifications as to width, material, and dimensions of the proposed sidewalk or sidewalks, the manner in which the same shall be renewed, repaired or replaced in conformity with the order of the Board of Trustees. In case any such lot owner or owners cannot be found in said town, such notice shall be served on the agent thereof or upon any person in charge or possession of said premises, if any. If there is no resident owner or agent, or such owner or agent cannot be found within said town and no one is in the actual possession of such lot or lots, such notice shall be posted in a conspicuous manner upon said premises, and if the postoffice address of such owner or owners is known, then in such event it shall be the duty of the Town Marshall to forthwith deposit in the postoffice, in said town, a copy of such notice addressed to such owner or owners, to such address, with the postage thereon prepaid and the owners or owner so served shall, within ten days from the date of posting such notice on such premises, commence the repair, construction or removal of such sidewalk or sidewalks, as in such notice, may be specified. Provided, that in no event shall it be deemed necessary to serve such notice by mail, as hereinafter specified, when the postoffice address of such owner or owners is unknown to said Marshall, and in such case the posting of such notice shall be sufficient service for the purpose of this ordinance.

Section 3. FAILURE TO COMPLY WITH ORDER--- In case of the refusal or failure, on the part of any lot owner upon whom such notice shall have been served as aforesaid, to commence and complete such construction, laying down, renewal or repairing of such sidewalks or sidewalks, within the time in such notice specified, and in conformity with such mandates thereof, such sidewalk

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Section 3. Cont'd. or sidewalks may be constructed layed down, renewed or repaired by said town, and the expense thereof charged to the respective owner of owners of, and assessed upon and against the lots and premises abutting or adjoining such sidewalk or sidewalks, and the same shall be assessed and determined in the manner hereinafter provided.

Section 4. TRESPASS PROHIBITED.--- No person shall lead, ride, drive, push or draw any horse, wagon, sled or sleigh upon, over or across any sidewalk unless it be in crossing the same to go into a yard or lot where no suitable means of access or crossing is provided.

Section 4. PENALTY GENERALLY.--- Any person or persons violating any of the provisions of this ordinance for the violation of which no penalty is expressly provided shall, upon conviction, be fined not less than five dollars nor more than one hundred dollars.

Introduced and read and ordered printed  
this 18th, day of May, A.D. 1915.

*W.A. Hopkins* ---Mayor  
Attest: *L.W. Hopkins* ---Recorder

STATE OF COLORADO } ss.  
TOWN OF NUCLA }

I, W.A. Hopkins, Town Recorder of the Town of Nucla, do hereby certify that the foregoing ordinance was regularly read and passed at a regular meeting of the Board of Trustees of the Town of Nucla, held at the Town Hall on the eighth day of June, A.D. 1915, and ordered printed in the Nucla Independent, a weekly newspaper published in said town.

Given under my hand as recorder of the Town of Nucla and the seal of said town this tenth day of June, A.D. 1915.

seal.

-----Recorder

